

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
MARITEL, INC.)	WT Docket No. 04-257
and)	
MOBEX NETWORK SERVICES, LLC)	RM-10743
)	
Petitions for Rule Making to Amend the)	
Commission's Rules to Provide Additional)	
Flexibility for AMTS and VHF Public Coast)	
Station Licensees)	

To: The Commission:

**PETITION
OF
NORTHEAST UTILITIES SERVICE COMPANY
FOR
CLARIFICATION OR PARTIAL RECONSIDERATION**

Northeast Utilities Service Company ("NUSCO"), by its attorneys, respectfully requests the Federal Communications Commission to clarify, or alternatively to partially reconsider, its Report and Order issued in the above-captioned proceeding.¹

NUSCO is a wholly owned service subsidiary of Northeast Utilities, New England's largest utility system, serving more than 1.7 million electricity customers in Connecticut, Massachusetts and New Hampshire. Northeast is a Fortune 500 diversified energy company. NUSCO is the licensee of AMTS station WQJ718, which was partitioned and disaggregated from the North Atlantic AMTS Group B license to embrace frequency authority over NUSCO's utility service area.

¹ 72 Fed. Reg. 31192 (June 6, 2007).

In this rulemaking, the Commission adopted proposed rules to afford operational flexibility to AMTS licensees, and also to maritime VPC licensees, by enabling such licensees to provide service to units on land, in both a commercial and also a private system mode of operation. The license assignment application leading to NUSCO's AMTS authority was filed on May 4, 2005, after this rulemaking was initiated and the comment period had closed. In its license application, NUSCO asked for a waiver of the rules to permit it to operate its AMTS service as a private system serving mobile stations on land in support of its utility services.² The waiver request was consistent with the rule changes which had been proposed in the notice of proposed rulemaking initiating this proceeding. The Order issued by the Commission authorizing grant of the assignment application granted the waiver request, conditioned on the outcome of this proceeding.³

While several of the rule changes adopted in this proceeding serve to address the waivers granted in the licensing order, in two instances the Report and Order recognizes the need for relief from the rules and adopted a mechanism for doing so, namely with regard to Sections 20.9 (CMRS classification) and 80.123 (priority for marine communications). These matters were addressed in the waiver request accompanying the assignment application.⁴ The Commission's Report and Order in this proceeding does

² See application file number 0002147762 at Exhibit A, Request for Rule Waiver.

³ *AMTS Consortium, LLC*, 20 FCC Rcd 17975 (WTB PSCID, 2005) ("Order") at ¶ 10, *recon. denied*, 22 FCC Rcd (WTB Mob. Div., 2007), application for review pending.

⁴ Subsequent to the application being filed, and prior to the Commission's order authorizing grant of the application, the Commission concluded Auction 61 for the then unlicensed AMTS spectrum. The "A" block of AMTS spectrum in the North Atlantic area was purchased at that auction, thereby providing for additional AMTS capacity in the North Atlantic area.

not address its relationship with the NUSCO license or the other similar waivers which have been granted.

NUSCO hereby requests the Commission to CLARIFY that its Report and Order in the instant proceeding serves to finalize the rule waivers granted to NUSCO for those provisions addressed in the license application which also were addressed in this rulemaking proceeding, and that NUSCO does not need to take further action to finalize those rule waivers. Alternatively, NUSCO requests the Commission to partially reconsider its Report and Order to add an ordering clause finalizing the grant of the waivers approved in the NUSCO licensing decision. Whereas the Commission found the waivers to be in the public interest in the November, 2005 licensing decision, with the findings reached in the Report and Order and amendments made to the rules, NUSCO respectfully requests that the waivers should be finalized in conjunction with this proceeding.

Respectfully Submitted,

Northeast Utilities Service Company

By 

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June 13, 2007